

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15561 of 2018

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1. Mahabir Sahani, son of Late Modi Sahani, Resident of Village-
Jaukatiya, Malahi Tola, P.S.-Majhauriya, District- West Champaran.
..... Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Registration,
Excise and Prohibition Department, Government of Bihar, Patna.
2. The Collector, West Champaran, Bettiah.
3. The Superintendent of Police, West Champaran, Bettiah.
4. The Superintendent of Excise, West Champaran, Bettiah.
..... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Adv.

For the Respondent/s : Mr. Anil Kumar Sinha -Gal

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 07-08-2018 This writ petition has been filed for release of a vehicle

black colored Hero Honda Super Splendor Motorcycle bearing

Registration No.BR-22-AA-7583, which has been seized in

connection with Harsidhi P.S. Case No. 403 of 2017 due to

violation of the Excise Act. The prayer made in the writ petition is

to release the vehicle in question pending finalization of the

confiscation proceedings and criminal case.

It is common ground that in various cases, identical in
nature, pending finalization of the confiscation proceedings
vehicles have been directed to be released by this Court on various
conditions and we see no reason to make a deviation in the present
case.



Keeping in view the aforesaid, it is directed that pending finalization of the confiscation proceedings and aforesaid criminal case, the aforesaid vehicle in question shall be released to the petitioner, on his furnishing two surety bonds to the satisfaction of District Magistrate, West Champaran, Bettiah and further undertaking to produce the vehicle as and when directed by the authority concerned and not to alienate or deal with the vehicle in question or create a third party interest during the pendency of the confiscation proceedings and criminal case or prejudice the right of the State in confiscation proceeding. The aforesaid vehicle shall be released within one week from the date of furnishing of the sureties.

With the aforesaid, the writ petition stands allowed and disposed of.

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

Arvind/R.R.Ojha

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